

To: Nann, Barbara[nann.barbara@epa.gov]
From: Smith, Suzanne
Sent: Thur 1/5/2017 5:55:30 PM
Subject: RE: AR RH

Thank you!!

Suzanne J. Smith

Chief, Multimedia Counseling Branch

Office of Regional Counsel

EPA Region 6

214.665.8027

From: Nann, Barbara
Sent: Thursday, January 05, 2017 10:24 AM
To: Smith, Suzanne <Smith.Suzanne@epa.gov>
Subject: AR RH

Attached is a nice 2 paragraph summary of the petitions for reconsideration for AR RH. It might handy for the RA or the RC.

The State of Arkansas, Arkansas Electric Cooperative Corporation (AECC), Entergy, Energy and Environmental Alliance of Arkansas, and Domtar filed Petitions for Reconsideration and Request for Administrative Stay for EPA's final rule on Arkansas Regional Haze. Both AECC and Entergy own interest in Electric Generating Units (EGUs) that our rulemaking is requiring to install control technologies in order to comply with Best Available Retrofit Technology (BART) and reasonable progress totaling \$2 billion. EEAA is an industry group of EGU owners including Entergy and AECC. All the parties raise overlapping claims except for Domtar, a pulp mill, who raised specific concerns regarding EPA's SO₂ emission limit determination for its Power Boiler #2.

The primary parties (State of Arkansas, AECC, Entergy, and AECC) raise the following

issues: (1) EPA requiring controls on Independence under reasonable progress do not comport with the law nor does the data support; (2) EPA's reduction in NOx compliance frames from the proposed three years to 18 months in the final rulemaking does not comply with the law or due process and compliance is technically feasible; (3) EPA should allow Arkansas to comply with the BART requirements for NOx by relying on Cross State Air Pollution Rule; and (4) EPA did not adequately consider Entergy's proposal to retire early units at White Bluff in its BART analysis.

Barbara A. Nann

Assistant Region Counsel

U.S. Environmental Protection Agency, Region 6

1445 Ross Avenue, Suite 1200

Dallas, Texas 75202

Phone: (214) 665-2157

Work Cell: (469) 416-9629

Fax: (214) 665-2182